



March 31, 2008

Ms. Krystal A. Crittendon
City of Detroit Law Department
660 Woodward, Suite 1650
Detroit, Michigan 48226
critk@law.ci.detroit.mi.us

VIA EMAIL

RE: *Ernest Flagg, et al. v. The City of Detroit, et al.*
USDC Case No.: 05-CV-74253

Dear Ms. Crittendon,

This will confirm that you and I spoke in connection with Defendants' violation of the Court's OPINION AND ORDER REGARDING DEFENDANTS' MOTIONS TO QUASH SUBPOENAS AND OTHER DISCOVERY-RELATED MATTERS, and my intention to file a motion to seek sanctions or an order to show cause regarding same. Pursuant to that Order, Defendants were required, no later than by Friday March 28, 2008, to provide Plaintiff with the following: (1) the "identification ("PIN") numbers and corresponding names necessary to commence the process of obtaining text messages from SkyTel in accordance with the protocol to be established by the Court;" and (2) "a copy of the Detroit Police Department's homicide file for the murder of Tamara Greene, subject to a protective order being negotiated by the parties . . ." Not only have Defendants not complied with the Order, but Defendants never even sought to negotiate any terms for any protective order relative to the homicide file.

Now I understand from you that you and the Morganroth firm have been in contact both with each other and with Judge Rosen's clerk today in an effort to arrange another status conference to address your clients' noncompliance with this Order. In light of your efforts to secure a status conference, we will refrain from filing a motion at this time pending direction from Judge Rosen, but reserve all right to do so, and to seek all remedies allowed under the Federal Rules of Civil Procedure. Our deferring of filing a motion today shall in no way be construed as a waiver of our right to do so in the future.

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Please keep me apprised of your efforts in arranging a status conference with Judge Rosen.

Very truly yours,



Robert S. Zawideh

RSZ/

cc: Norman A. Yatooma, Esq. (via email)
Mr. Mayer Morganroth, Esq. (via email)
Mr. Jeffrey Morganroth, Esq. (via email)
Mr. John Schapka, Esq. (via email)
Mr. James Myers, Law Clerk to the Hon. Gerald Rosen (via first class mail)